HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 758 (S/S)2006

Manoj Lal S/o Late Sri Raju Lal,
Resident of village Bagwan, Tehsil Deo Prayag,
District Tehri Garhwal. ---- Petitioner.

Versus

1. Branch Manager, State Bank of India,
   Bagwan Branch, District Tehri Garhwal,
2. Regional Manager, SBI, Dehradun,
3. General Manager, SBI, Dehradun, ---- Respondents

Sri Abdul Wahid, learned counsel for the petitioner.
Sri Ashish Joshi, learned counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Abdul Wahid, learned counsel for the petitioner and Sri Ashish Joshi, learned counsel for the respondents.

2. This writ petition has been filed by the petitioner for the following reliefs:-

i. To Issue order, writ direction in the nature of mandamus commanding the respondents to reinstate the service of the petitioner with full back wages and continuity of the service,

ii. To commanding the make the payment of full back wages from the date of termination till the reinstate of the service of petitioner,]

iii. Any other writ, order or direction which this Hon'ble Court may deem fit and proper under the circumstances of the case.

iv. Award the cost of writ petition.

3. Submission of the learned counsel for the petitioner is that the petitioner was appointed on 13th Nov. 1998 as Sweeper in the Bagwan Branch of State Bank of India, district Tehri Garhwal. Apart from his duties as Sweeper, he is also carrying out the work of computer operating and voucher shorting work.

There is no complaint received against the petitioner during his service tenure. The petitioner is performing his duties with utmost satisfaction of his superiors. However, vide order dated 06.01.2006 passed by the respondent no. 1 i.e. the Branch Manager, Bagwan Branch, district Tehri Garhwal, the services of the petitioner were terminated without assigning any reason.

4. The petitioner is a Scheduled Caste candidate. The posts of Sweepers are vacant with the Bank. Raising his grievances, the petitioner has already moved representation before the respondent no. 3 i.e. General Manager, Dehradun, which is annexed as annexure no. 1 to the writ petition with the specific prayer to reinstate the petitioner on the post, which is lying vacant with the Bank. The said representation is pending before the respondent no. 3.

5. Considering all the facts and circumstances, without entering into the merits of the case, I deem it fit and proper to direct the respondent no. 3 to take decision on the representation of the petitioner within the period prescribed by the Court.

6. Accordingly, the respondent no. 3 is directed to take decision on the representation of the petitioner dated 2nd March 2006, annexure no. 1 to the writ petition, within a period of six weeks from the date of production of a certified copy of this order.

7. With this direction, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

June 13, 2006:

NCM: